

**REMARKS/ARGUMENTS**

In response to the Office Action dated May 6, 2003, claims 1-3 and 5 are amended. Claims 1-5 are now active in this application. No new matter has been added.

**REJECTION OF CLAIMS UNDER 35 U.S.C. § 102 AND § 103**

I. Claim 1 is rejected under 35 U.S.C. § 102(e) as being anticipated by Chien 6,105,858.

The rejection is respectfully traversed.

While the Examiner is correct that banknote holder 11 depresses banknotes stored *below* the holder against the bottom of the drawer, claim 1 requires the banknote holder 3 to depress the banknotes *stacked on* the banknote holder 3, not stored *below* the banknote holder 3.

At any rate, claim 1 is amended to further distinguish over Chien. As clearly recited in amended claim 1, the banknote holder (corresponding to the component 3 disclosed in the preferred embodiment) of the present invention includes a holder plate (corresponding to the component 3010) which partitions banknotes stored in the cash casing. Providing this holder plate makes it possible to store some banknotes on the holder plate while store other banknotes beneath the holder plate.

Secondly, as clearly recited in amended claim 1 also, the banknote holder of the present invention includes a banknote depressor (corresponding to the component 306) for depressing the banknotes stacked on the holder plate.

The specific "holder plate" and "banknote depressor" now recited in amended claim 1 are not disclosed or suggested in Chien. From the foregoing, it is believed clear that

amended claim 1 is patentable over Chien. Consequently, the allowance of amended claim 1 is respectfully solicited.

**II.** Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Chien. The Examiner admits that Chien does not disclose the required “hook”, but contends it would have been obvious to provide a “well known” hook instead of a spring attaching mechanism as it would allow for rapid, easy replacement of any spring which has lost its resiliency.

The rejection is respectfully traversed.

Claim 2 depends from amended independent claim 1. Thus, claim 2 is patentable over Chien also. Consequently, the allowance of claim 2, as amended, is respectfully solicited.

Furthermore, reliance upon only statements by the Examiner as to what is “well known” in the art to reject claims is merely the opinion of the Examiner and not objective evidence that claim 2, as a whole, is obvious within the meaning of 35 U.S.C. § 103. See *In re Zurko*, 258 F.3d 1379, 59 USPQ2d 1693 (Fed. Cir. 2001) and *In re Lee*, 277 F.3d 1338, 61 USPQ2d 1430 (Fed. Cir. 2002).

**III.** Claim 3 is rejected under 35 U.S.C. § 102(e) as being anticipated by Chien 6,105,858.

To expedite prosecution, claim 3 is amended to depend from amended independent claim 1, which is patentable over Chien. Thus, amended claim 3 is patentable over Chien also. Consequently, the allowance of amended claim 3 is respectfully solicited.

IV. Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Chien. The Examiner admits that Chien does not disclose the required "balance weight", but contends it would have been obvious to provide a well known "balance weight" at the rear end of the cash drawer of Chien, as it would help balance the drawer and help avoid accidental tipping of the mechanism.

The rejection is respectfully traversed.

Claim 4 depends from amended independent claim 1. Thus, the claim 4 is patentable over Chien also. Consequently, the allowance of claim 4 is respectfully solicited.

Furthermore, reliance upon only statements by the Examiner as to what is "well known" in the art to reject claims is merely the opinion of the Examiner and not objective evidence that claim 4, as a whole, is obvious within the meaning of 35 U.S.C. § 103. See *In re Zurko*, 258 F.3d 1379, 59 USPQ2d 1693 (Fed. Cir. 2001) and *In re Lee*, 277 F.3d 1338, 61 USPQ2d 1430 (Fed. Cir. 2002).

V. Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Chien in view of Showers, relied upon to disclose a push plate (22) fastened to the drawer, and a mechanism (23/24) for indicating the open or closed nature of the drawer. The Examiner contends that it would have been obvious to modify the arrangement of Chien with the teaching of Showers to meet the terms of the claims.

The rejection is respectfully traversed as Showers does not specifically disclose the mechanism 23/24 counts the number of times the drawer is opened or closed.

At any rate, claim 5 is amended to further distinguish over Chien and Showers. According to the invention defined in amended claim 5, as understood with reference to the

preferred embodiment of the present invention shown in Figs. 6 and 7, a push plate (corresponding to the component 209) is located at a rear end of a drawer (201). A swing lever (102) is positioned near the push plate (209) and is swingable about a swing shaft (101) when the swing lever (102) is pushed by the push plate (209). An operation lever (1020) is engageable with an engaging shaft (1019) of the swing lever (102) so as to shift in a predetermined direction during a swing motion of the swing lever (102). The operation lever (1020) disengages from the engaging shaft (1019) of the swing lever (102) when the drawer is closed. A microswitch (1011) is operative in response to a shift motion of the operation lever (1020) for counting the number of times the drawer is opened or closed. The microswitch (1011) is depressed by a microswitch lever (1018) which is shiftable together with the operation lever (1020). Thus, the microswitch (1011) is depressed only when the operation lever (1020) is engaged with the engaging shaft (1019) and shifts in said predetermined direction. Thus, it becomes possible to prevent the microswitch (1011) from chattering.

Once the drawer is completely closed, the microswitch (1011) is not depressed and does not count the number even if an operator hits the drawer erroneously without intent of opening the drawer. The count value of the microswitch 1011 correctly agrees with actual open or close operations of the drawer 201.

Showers completely fails to disclose or suggest features of the present invention now recited in amended claim 5. In particular, Showers fails to disclose or suggest the claimed features for the chattering preventing mechanism of the present invention.

Thus, amended independent claim 5 is patentable over Chien and Showers, considered alone or in combination. Consequently, the allowance of amended claim 5 is respectfully solicited.

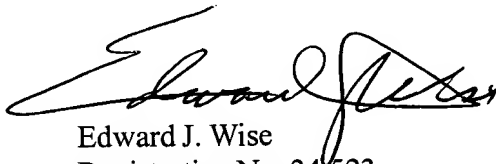
**CONCLUSION**

Accordingly, it is urged that the application, as now amended, is in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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